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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,618	04/20/2004	Robert E. Dudley	04274661	7286
11030	7590	02/14/2011	EXAMINER	
Baker Botts L.L.P.			JEAN-LOUIS, SAMIRA JM	
30 Rockefeller Plaza			ART UNIT	
New York, NY 10112-4498			PAPER NUMBER	
			1627	
			MAIL DATE	
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			02/14/2011	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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FEB 14 2011

Baker Botts L.L.P.
30 Rockefeller Plaza
New York NY 10112-4498

In re Application of:
Robert E. Dudley, et al.
Serial No.: 10/829,618
Filed: April 20, 2004

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: PETITION DECISION
:

Attorney Docket No.: 04274661

This is in response to the petition under 37 CFR § 1.59(b), filed January 20, 2011, to expunge information from the above identified application. This application has not been allowed.

Petitioner requests that the materials submitted to the Patent Office on December 22, 2010, be expunged from the record. Petitioner states either: (A) that the information contains trade secret material, proprietary material and/or material that is subject to a protective order which has not been made public; or (B) that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted, and the information has not otherwise been made public. The petition fee set forth in 37 CFR § 1.17(g) has been paid.

This is an unexamined application. As such the information provided has not been reviewed nor have proceedings in the application been terminated. As stated in M.P.E.P. 724, upon allowance or other action closing prosecution in an application, petition may be made for return of Proprietary information. The information cannot be expunged at this time.

The petition is **DISMISSED**. Petitioner may resubmit the petition subsequent to a Notice of Allowability or *ex parte Quayle* action being mailed in the application. No additional petition fee will be required at that time.

Should there be any questions about this decision please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile sent to the general Office facsimile number, 571-273-8300.

/MC Seidel/
Marianne C. Seidel, Quality Assurance Specialist
Technology Center 1600